

## REMARKS

This is intended as a full and complete response to the Restriction Requirement dated September 24, 2003, having a shortened statutory period for response set to expire on October 24, 2003. Please reconsider the claims pending in the application for reasons discussed below.

Claims 1 - 43 are pending in the application and are subject to restriction. The Examiner has restricted the claims to one of the following inventions under 35 U.S.C. § 121:

Group I. Claims 1 – 20 and 30 – 43, drawn to an electrochemical deposition cell; an apparatus for securing and electrically contacting a substrate on a non-production surface of a substrate; and an apparatus for depositing a metal layer on a substrate, classified in class 204, subclass 199.

Group II. Claims 21 – 29, drawn to a method for electroplating on a semiconductor substrate, classified in class 205, subclass 123.

The Examiner has taken the position that the inventions in Group I and Group II are distinct from each other. The Examiner states that the process of claims 21-29 can be practiced by another materially different apparatus, such as a clamshell apparatus.

In response to the Examiner's restriction, Applicants hereby elect the claims of Group I (claims 1-20 and 30-43), with traverse.

Applicants submit that claims 1-43 are properly prosecuted in a single application. Although the Examiner has classified Groups I and II in two different classes (204 and 205), a thorough search of either Group would inherently include both classes, because the apparatus and process are in the same field of search which overlaps classes 204 and 205. Therefore, prosecution of Groups I and II in a single application would not require any additional search on the part of the Examiner.

Further, the Examiner states that the process of Group II may be practiced by a clamshell apparatus. Applicants submit that this conclusion is in error, because a conventional clamshell apparatus is not configured to electrically contact a backside of a substrate. Therefore, Applicants submit that the Examiner has failed to properly support the restriction requirement, and reconsideration and withdrawal of the restriction is respectfully requested.

Having addressed all issues set out in the Restriction Requirement, Applicant respectfully submits that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted,



---

N. Alexander Nolte  
Registration No. 45,689  
MOSER, PATTERSON & SHERIDAN, L.L.P.  
3040 Post Oak Blvd. Suite 1500  
Houston, TX 77056  
Telephone: (713) 623-4844  
Facsimile: (713) 623-4846  
Attorney for Applicant(s)